

1  
2  
3  
4  
5  
6 SECURITIES AND EXCHANGE  
7 COMMISSION,

10 No. C 12-80109 WHA

8  
9 Plaintiff,

12 v. **SECOND ORDER**  
13 **TO SHOW CAUSE**

14 MACK OBIOHA, OFF SECURITIES FUNDS,  
15 LTD., and OFF HOLDINGS, LLC

16 Defendants.

17 An order to show cause issued on May 23, 2012, ordering defendants Mack Obioha, Off  
18 Securities Funds, LTD, and Off Holdings, LLC, to show cause why plaintiff Securities and  
19 Exchange Commission's motion to compel should not be granted for failure to oppose and  
20 ordering the Commission to file proof of service of the motion to compel on defendants. The  
21 Commission filed a certificate of service showing that it mailed via UPS for next day delivery,  
22 the motion to compel, accompanying declaration, order setting the hearing date, and clerk's  
23 notice rescheduling the hearing date on May 23, 2012, to Attorney James A. Trodden, who the  
24 Commission claims is authorized to accept service on behalf of defendants. The Commission  
25 then requested the order to show cause be vacated in light of the delay in serving defendants with  
26 the motion. The order to show cause was vacated and a new briefing schedule was set. The  
27 opposition brief was due June 14, 2012. None was filed.

28 Still, the docket does not reflect any appearance by defendants. However, the  
Commission did file a certificate of service of the "order vacating order to show cause and

1 setting briefing schedule," showing that order was served on Attorney Trodden, who the  
2 Commission claims is authorized to receive service on behalf of defendants.

3 Defendants Mack Obioha, Off Securities Funds, LTD, and Off Holdings, LLC, are  
4 **ORDERED TO SHOW CAUSE** why the motion to compel should not be granted for failure to  
5 oppose. Defendants must file a written response by **JULY 3, 2012**. If no response is filed, the  
6 motion may be granted. The Commission is ordered to serve this order on defendants and file a  
7 proof of service.

8

9 **IT IS SO ORDERED.**

Wm. Alsup

---

10 Dated: June 19, 2012.  
11 WILLIAM ALSUP  
12 UNITED STATES DISTRICT JUDGE